

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

DR. DAMIAN MEDICI,

Plaintiff

v.

LIFESPAN CORPORATION,
RHODE ISLAND HOSPITAL, and
MICHAEL SUSIENKA,

Defendants.

Civil Action No. 1:17-cv-00265-M-PAS

**ASSENTED-TO MOTION FOR MODIFICATION OF BRIEFING SCHEDULE ON
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants Lifespan Corporation, Rhode Island Hospital and Michael Susienka, with the consent of Plaintiff Dr. Damien Medici, respectfully move to modify the briefing schedule on Defendants' Motion for Summary Judgment. The basis for this Motion is as follows:

1. Defendants filed their Motion for Summary Judgment on September 13, 2018, along with their Statement of Undisputed Facts [Dkt. Nos. 74, 78].
2. After the Court granted two Assented-to Motions for Enlargement of Time [Dkt. Nos. 75, 76], on October 18, 2019, Plaintiff filed his opposition to Defendants Motion for Summary Judgment [Dkt. No. 79].
3. Plaintiff's Opposition was accompanied by a Statement of Additional Material Facts [Dkt. No. 83] ("Plaintiff's SAMF"), among other documents.
4. Defendants contend that Plaintiff's SAMF fails to comply with LR Cv 56(a).
5. So as to avoid motion practice with respect to Plaintiff's SAMF, Plaintiff has agreed to amend Plaintiff's SAMF to comply with LR Cv 56(a). However, because of other

commitments, Plaintiff's counsel needs until November 5, 2018 to file the amended Plaintiff's SAMF.

6. Thereafter, Defendants have agreed to file their Reply Brief in Further Support of Their Motion for Summary Judgment, along with their Response to Plaintiff's SAMF, on or before November 14, 2018.

7. This Motion supersedes Defendants Assented Motion for Enlargement of Time to File Their Reply on Their Motion for Summary Judgment [Dkt. No. 85], on the Court granted on October 22, 2018.

WHEREFORE, Defendants respectfully request that Plaintiff have until November 5, 2018 to file an amended Statement of Additional Material Facts, and that Defendants have until November 14, 2018 to file their Reply Brief in Further Support of Their Motion for Summary Judgment, along with their response to Plaintiff's Statement of Additional Material Facts.

Dated: October 22, 2018

/s/ Rachel M. Wertheimer

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DEFENDANTS LIFESPAN

CORPORATION, RHODE ISLAND

HOSPITAL and MICHAEL SUSIENKA

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2018, I electronically filed this document with the Clerk of Court using the CM/ECF System, which I understand will send notification of the filing to all counsel of record.

/s/ Rachel M. Wertheimer

Rachel M. Wertheimer